



11-21-03

1725

RUH-284

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : C. Cooke  
HAGMEYER et al :  
Serial No.: 09/937,524 : Group: 1725  
Filed: September 25, 2001 :  
For: CATALYSTS...THEIR USE :

475 Park Avenue South  
New York, N.Y. 10016  
November 20, 2003

**RESPONSE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

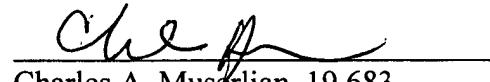
Responsive to the office action of November 13, 2003 relating to the above application in which the Examiner held that the response of June 30, 2003 was not responsive to the office action since it argued the rejection based upon U.S. Patent No. 5,990,344 rather than EP 0839793. This is an incorrect interpretation of the art since the two references are synonymous as can be seen from the International Search Report which was submitted with the information disclosure statement. Applicants are submitting herewith a second copy wherein it is seen on the enclosed page that EP 0839793 is equivalent to U.S. Patent No. 5,990,344 as indicated in red on the copy submitted herewith. Therefore, the earlier response was proper and Applicants argued the rejection thereof. Therefore, withdrawal of the notice of November 13, 2003 is

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service under 27 CFR 1.10 on the date indicated  
above and is addressed to the Commissioner for  
Patents, P.O. Box 1450, Alexandria, VA 22313-1450

John - John Bush  
11/20/03

requested and that the Examiner act upon the amendment of June 30, 2003 as well as the supplemental response filed September 12, 2003 with the executed declaration.

Respectfully submitted,  
Muserlian, Lucas and Mercanti

  
Charles A. Muserlian, 19,683  
Attorney for Applicants  
Tel. # (212) 661-8000

CAM:ds  
Enclosures

# INTERNATIONAL SEARCH REPORT

International Application No

PCT/EP 00/02455

**A. CLASSIFICATION OF SUBJECT MATTER**  
 IPC 7 B01J23/58 C07C67/055

According to International Patent Classification (IPC) or to both national classification and IPC

**B. FIELDS SEARCHED**

Minimum documentation searched (classification system followed by classification symbols)  
 IPC 7 B01J C07C

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

**C. DOCUMENTS CONSIDERED TO BE RELEVANT**

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EP 0 723 810 A (DEGUSSA) 31 July 1996 (1996-07-31) cited in the application the whole document	1-23
X	EP 0 839 793 A (BP CHEM INT LTD) 6 May 1998 (1998-05-06) cited in the application page 3, line 10 -page 4, line 18	1-23
X	EP 0 672 453 A (STANDARD OIL CO OHIO) 20 September 1995 (1995-09-20) the whole document	1-6, 8-11,23

Further documents are listed in the continuation of box C.

Patent family members are listed in annex.

\* Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search

Date of mailing of the international search report

13 June 2000

20/06/2000

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentdaan 2  
NL - 2280 HV Rijswijk

Authorized officer

**INTERNATIONAL SEARCH REPORT**

Information on patent family members

Int'l Application No
PCT/EP 00/02455

Patent document cited in search report	Publication date	Patent family member(s)			Publication date
EP 0723810 A	31-07-1996	DE 19501891 C			26-09-1996
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		US 5422329 A			06-06-1995
		US 5476963 A			19-12-1995

## INTERNATIONAL SEARCH REPORT

International Application No  
PCT/EP 00/02455

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EP 0 565 952 A (HOECHST AG) 20 October 1993 (1993-10-20) cited in the application claims 1-18 examples 1-3	1-3, 5, 6, 8-11, 23